



March 22, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re \ Application of Wayne L. Pushka
Application No. 09/770,930
Filed January 26, 2001

Examiner:
Art Unit: 2152

SYSTEM FOR OPTIMIZING INVESTMENT PERFORMANCE

(Atty. Docket No. 24,757 USA)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents, Box Missing Parts, Washington, DC 20231 on March 22, 2001.

Lynn M. White
Lynn M. White

Commissioner of Patents
Box Missing Parts
Washington, DC 20231

Sir:

REPLY TO NOTICE OF MARCH 13, 2001
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

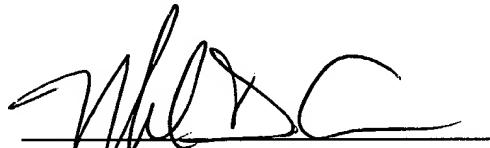
In response to the "Notice to File Missing Parts of Nonprovisional Application," dated **March 13, 2001**, enclosed herewith for filing is the originally executed Combined Declaration and Power of Attorney, and a copy of the Notice.

Application No. 09/770,930
Page 2

March 22, 2001

A check in the amount of \$65.00 is attached to cover the surcharge fee. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-5425. A copy of this Reply is enclosed for charging purposes.

Respectfully submitted,



Mark D. Simpson, Esq.
Registration No. 32,942

SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
(215) 923-4466

M:\MSimpson\Donahue Ernst\24757 USA\Patent Office\reply to missing parts.wpd



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,930	01/26/2001	Wayne L. Pushka	24,757 USA

CONFIRMATION NO. 8224

FORMALITIES LETTER



OC000000005857807

SYNNESTVEDT & LECHNER LLP
 Suite 2600 Aramark Tower
 1101 Market Street
 Philadelphia, PA 19107

Date Mailed: 03/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/28/2001 MMARMOL 00000054 09770930

01 FC:205

65.00 DP

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE